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12M2/0116

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**NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed \_\_\_\_\_

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
03/426,644	06/06/95	013	POWERS, F	1201 01/16/96
First Named Applicant	MACOR, JOHN F.			

TITLE OF INVENTION INDOLE DERIVATIVES

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1	514-323.000	564	UTILITY	NO	\$1250.00	04/16/96

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or  
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

**IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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5/B

DATE MAILED:

### NOTICE OF ALLOWABILITY

#### PART I.

1. ☒ This communication is responsive to preliminary amendment filed November 13, 1995.
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 1-10, 13-16 and 35-38 (now 1 to 18).
4. ☐ The drawings filed on \_\_\_\_\_ are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
6. ☒ Note the attached Examiner's Amendment.
7. ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892. *The references cited show the state of the art.*
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

#### PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
  - b. ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE: AND ISSUE FEE DUE; ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

#### Attachments:

- ☒ Examiner's Amendment
- ☐ Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

5/B  
FTP  
1/6/96

Serial Number: 08/466,644

-2-

Art Unit: 1201

# **EXAMINER'S AMENDMENT**

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

The application has been amended as follows:

Before the first line of the specification insert the following:

B1  
This is a continuation-in-part of application Serial No. 08/401,647, filed March 10, 1995, now abandoned, which is a continuation of application Serial No. 08/053,930, filed April 27, 1993, now abandoned, which is a continuation-in-part of application Serial No. 08/039,244, filed April 27, 1993, which is a continuation-in-part of application Serial No. 07/597,928, filed October 15, 1990, now abandoned.

Claim 1, line 26, delete "and " and insert -or-;

line 27, delete "salts" and insert -salt-.

The amendments above have been made to identify the parent applications and to make a minor editorial change.

Note that the abstract has been shortened. See the attached sheet.

Serial Number: 08/466,644

-3-

Art Unit: 1201

The numbering of claims is not accordance with 37 C.F.R. 1.126. Note that there are two claims which are numbered 31.

Misnumbered claims 31 to 37 have been renumbered 32 to 38. Also, the directions for cancelation of the claims has been corrected to cancel claims 11, 12 and 17 to 34.

On page 13, line 28 "I" has been inserted after "formula".

Serial Number: 08/466,644

-4-

Art Unit: 1201

#### REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance: The claims are allowed because of the inclusion of the proviso that when  $R_2$  is hydrogen or  $-OR_4$  and  $R_4$  is hydrogen,  $n$  is 0 or 1 which is not found in the prior art references.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fiona Powers whose telephone number is (703) 308-4535.

FTP  
January 6, 1996

*Fiona T. Powers*  
FIONA T. POWERS  
PATENT EXAMINER  
ART UNIT 1201